

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER NO. 92-122

RESCINDING NPDES PERMIT CA0029173 FOR:

NEC ELECTRONICS, INC.  
501 ELLIS STREET  
MOUNTAIN VIEW, SANTA CLARA COUNTY

RESCINDING WASTE DISCHARGE REQUIREMENTS FOR:

FAIRCHILD CAMERA AND INSTRUMENT CORPORATION  
464 ELLIS STREET  
MOUNTAIN VIEW, SANTA CLARA COUNTY

INTEL CORPORATION  
365 EAST MIDDLEFIELD ROAD  
MOUNTAIN VIEW, SANTA CLARA COUNTY

NEC ELECTRONICS, INC.  
501 ELLIS STREET  
MOUNTAIN VIEW, SANTA CLARA COUNTY

RAYTHEON COMPANY  
350 ELLIS STREET  
MOUNTAIN VIEW, SANTA CLARA COUNTY

SILTEC CORPORATION  
405 NATIONAL AVENUE  
MOUNTAIN VIEW, SANTA CLARA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (the Board) finds that:

1. On February 18, 1987, the Board adopted Order No. 87-013, waste discharge requirements for NEC Electronics (NPDES Permit CA0029173). The permit authorized NEC to discharge up to 14,400 gallons per day of treated, extracted groundwater to a storm drain tributary to Stevens Creek, Whisman Slough, and South San Francisco Bay. NEC applied for the permit to allow it to discharge

waste from a long-term, single well aquifer test, as part of its investigation into subsurface contamination by volatile organic compounds.

2. In a June 18, 1991, letter, NEC requested that its NPDES Permit be rescinded. NEC completed the pump test and no longer needed to discharge waste to the storm drain. The permit expired in February 1992.
3. On April 30, 1985, the Board adopted five Waste Discharge Requirements for firms in the so-called MEW study area, bounded by Middlefield, Ellis and Whisman streets in Mountain View, Santa Clara County:

Discharger	Order No.
Fairchild Camera and Instrument Corp.	85-048
Intel Corp.	85-049
NEC Electronics, Inc.	85-050
Raytheon Company	85-051
Siltec Corp.	85-052

The orders required the firms to conduct remedial investigations to determine the lateral and vertical extent of VOC contamination originating from these sites.

4. Later in 1985, the Board referred the above-five firms to the U.S. Environmental Protection Agency (EPA) for cleanup under Superfund. On June 9, 1989, EPA adopted a plan for cleaning up soil and groundwater at the MEW study area. On November 29, 1990, EPA issued an administrative order to Fairchild, NEC, Siltec, and other firms, directing them to implement the cleanup plan. In mid-1991, EPA and two firms - Raytheon and Intel - signed a consent decree with respect to the two firms' responsibilities under the cleanup plan. The consent decree received court approval in April 1992.
5. The five orders cited above are no longer needed. Remedial investigation tasks called for in the orders have been completed, and the firms are in the process of implementing EPA's cleanup plan. Accordingly, the five Waste Discharge Requirements should be rescinded.
6. Water Code Section 13263(e) requires the Board to review Waste Discharge Requirements periodically, and revise them as needed.
7. Rescission of an NPDES permit is exempt from the provisions of Chapter 3 (commencing with Section 21100) of Division 13 of the Public Resources Code (CEQA) pursuant to Section 13389 of the California Water Code. Rescission of the five waste discharge requirements is exempt from CEQA pursuant to 14

CCR Section 15304 (projects that constitute minor modifications to land).

8. The Board has notified the dischargers and interested agencies and persons of its intent to rescind the above-cited NPDES permit and waste discharge requirements, and has provided them with the opportunity for a public hearing and to submit written comments.
9. The Board, at a public meeting, heard and considered all comments pertaining to these discharges.

IT IS HEREBY ORDERED that Board Orders 87-013, 85-048, 85-049, 85-050, 85-051, and 85-052 are rescinded.

I, Steven R. Ritchie, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on October 21, 1992.



STEVEN R. RITCHIE  
Executive Officer